

REMARKS

The Applicants request reconsideration of the rejection.

Claims 1, 3-6, 10-11, 13-14, and 16-19 remain pending.

The claims stand rejected under 35 USC §103(a) as being unpatentable over Midgley, et al., US 6,460,055 (Midgley) in view of Anglin, US 6,260,069 (Anglin).

The Applicants traverse as follows.

The independent claims have been newly amended to refer to a plurality of file servers and a management server, wherein each of the file servers manages a respective file system having a directory structure, and wherein the management server has a file system having a directory structure, the file system managed by the management server including the respective file systems managed by the plurality of file servers. The Applicants refer the Examiner to Fig. 5 as an illustrative example of the respective file systems, and to Fig. 10 as an illustrative example of the management server file system including the file systems of each of the file servers.

This amendment provides additional patentable distinction over Midgley and Anglin, whether taken individually or in any motivated combination. Note that neither Midgley nor Anglin discloses a management server that manages a file system including the file systems managed by respective ones of a plurality of file servers. In particular, although Anglin seems to show a backup scheme that has different respective paths for the request and data, Anglin only discloses a one-client/one-server arrangement. Thus, there is no need or suggestion for the directory structures or management thereof, as claimed in the amended claims.

The independent claims have been further amended to recite that the management server makes a determination, based on the identifier received from

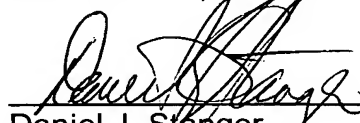
the requested file server in response to a backup request, whether the requested file server manages the file system having the file to be backed up according to the request; and that the management server notifies the requested file server that backup of the file to be backed up will be performed, if the determination is that the requested file server manages the file system having the file to be backed up. These limitations are supported by Figs. 7 and 10, for example. Because neither Midgley nor Anglin suggests the management server managing the file system that includes the respective file systems managed by the plurality of file servers, it necessarily follows that their combination does not suggest the determination as to whether the file server receiving the request manages the file system having the file to be backed up. By this arrangement, the present invention permits all file servers to be monitored via a single server.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

To the extent necessary, the Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 566.43176X00).

Respectfully submitted,

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